

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY
Alternative Dispute Resolution**

**JUSTICE COURT MEDIATION
PROGRAM REQUIREMENTS**

MISSION STATEMENT

Our goal is to use facilitative mediation skills to assist court clients in peacefully achieving a mutually satisfying resolution to their dispute.

This notice provides an overview of basic program requirements, including mediator standards, guidelines, and ethical expectations for participation in the program. However, this is not a comprehensive list of mediator standards, guidelines and ethical expectations. If you have questions or concerns regarding any of these policies or procedures, please contact Sue Travelstead, Justice Court Mediation Program Administrator, at 602-506-3956.

1. Mediator Compensation: Your involvement in this program is on a volunteer basis. There is no monetary compensation for mediators in the Justice Courts.

2. Training Requirements:

A. All candidates must submit a completed and signed Mediation Application Packet, which includes a Mediation Application form, Program Requirements form, Criminal Background Investigation Authorization form, and Conduct and Ethics Statement. All volunteer positions are subject to annual renewal. Additionally, proof of participation in continuing education must be submitted by the end of each calendar year.

B. Please consider the time commitment necessary to participate in the training *and* the program. In addition to the 40-Hour basic volunteer mediation training, you must complete 16 mediations to receive your Certificate of Completion, and you must commit to a minimum of at least 8 mediations in each subsequent year to remain on the active mediator list. All mediations take place in the Justice Courts, Monday through Friday, 8:00 – 5:00, and a full morning or afternoon time commitment is required. You must also earn 6 Continuing Education credits annually. If you cannot commit fully to all the requirements of the program at this time, you are welcome to reapply at a later date when your schedule will allow for participation.

C. The basic volunteer mediation training consists of 40 hours of class time. **This 40-hour basic mediation course is mandatory.** Please include a copy of your certificate and a course description or syllabus with your completed application. We must have this documentation prior to evaluating your course or processing your application. Upon acceptance into the program, you will be required to attend a 3-Hour Orientation session.

3. Continuing Education Requirement: You are required to earn a minimum of six (6) Mediator Continuing Education credits per year. Other programs or seminars may satisfy the Continuing Education requirement. To apply for such credit, please submit a Credit Request Form with proof of attendance to the ADR office by December 31st of each year.

4. Criminal Background Investigation and Fingerprinting: All applicants are subject to a criminal background investigation and fingerprinting by the Maricopa County Sheriff's Office and will not be scheduled for training or mediations until their clearance has been approved. Security approval is subject to annual renewal on December 31st of each calendar year and must be maintained in order to continue as a mediator in the program. A Criminal Background Investigation Form will be included in the Application Forms packet authorizing your criminal background investigation and fingerprinting. The signature of an authorized official

must be obtained prior to processing. **Please DO NOT proceed to the Sheriff's Office without this authorization signature from the Mediation Program.** If cleared, you will obtain a court photo identification badge after completion of training.

5. Competency Requirements: Completion of the training does not immediately guarantee acceptance into the mediation program. ADR reserves the right to require additional training and supervision of new mediators in the unlikely case that it is deemed necessary to achieve the basic competency required for mediating in the Justice Court Volunteer Mediation Program.

6. Program Requirements: After training, we require that you commit to sixteen (16) volunteer Justice Court mediations in the next year. You must complete 16 mediations to receive your Certificate of Completion. Credit will not be awarded for mediations that did not proceed, even though you were present to mediate. To remain on the active list of mediators, you must commit to a minimum of at least eight (8) volunteer Justice Court mediations in each subsequent calendar year.

7. Mediator Role: Mediation is an alternative to litigation and other court proceedings. Mediators are NOT judges or hearing officers and have NO AUTHORITY to make any decision for the parties in the case. The mediator's role is to FACILITATE COMMUNICATION between parties in dispute. Our goal is to assist parties in reaching a mutually acceptable agreement that is beneficial to all. The mediator aids the parties in making their own decisions about what will be best for both of them. The mediator does not exert any authority over the parties or their decisions.

8. Case Types: In general, the cases referred to the Justice Court Volunteer Mediation Program are small claims and civil cases up to \$10,000.

9. Mediator Representation: Completion of training will indicate that you are a trained "court-approved volunteer mediator" with the Justice Court Volunteer Mediation Program as administered by the Superior Court in Arizona, Maricopa County. **There is no certification or appointment in this process.** No person is authorized to assert that they are a certified mediator on the basis of our training (currently, there is no certification program for mediators in the state of Arizona). Completion of training indicates that mediators have had 40-hours of basic mediation skills training and are allowed to volunteer to mediate for our program unless we choose to discontinue their services in our courts. Misrepresentation of our court and our program could be grounds for termination.

10. Use of the Court Name: We caution all Justice Court volunteers against using the Justice Court mediator or Superior Court affiliation for any purpose outside their work in the Justice Court Volunteer Mediation Program. **This is not a title; it is participation in a volunteer program.** Extreme caution should be exercised in any situation where a volunteer is using the words "Superior Court" in any way. The court is not to be used as an endorsement in any way. It is not acceptable for any of our volunteers to expand upon their participation in this program. This applies to advertisements, employment efforts, presenting personal opinions, and all other means a person might use to express him or herself. Use of the Court name must receive prior consideration and approval by Superior Court ADR. Approval must be obtained in writing. Misrepresentation of our Court and our program could be grounds for termination.

Volunteers may use the information on resumes, for other ADR programs, or for volunteer activities, as long as the statement does not cross beyond fact into a value judgment.

11. Authority of the Justice Court: Due to the reciprocal voluntary nature of our program, Justice Courts do have the discretion not to avail themselves of the volunteer services of particular mediators as they choose. If for any reason, we are asked not to schedule you in a particular court, we will comply with this request of the Court.

12. Mediator Scope: Your duties in the Justice Court Volunteer Mediation Program are limited to those tasks specific to mediation as outlined in the procedures you will be given for each Justice Court. Any expansion of those duties and responsibilities within the Justice Courts is NOT authorized. Prior consideration and approval by Superior Court ADR must be obtained in writing.

13. Termination From the Program: Due to the reciprocal voluntary nature of our program, ADR reserves the right to discontinue the use of a mediator for any cause. Conduct unbecoming of a court representative, including criminal prosecution, can be grounds for termination from the program.

14. Conflict of Interest: Justice Court Volunteer Mediators are ethically prohibited from providing any additional services, paid or unpaid, to their mediation parties. This includes, but is not limited to, professional or private practice services offered by the mediator in their normal course of business. (Ex: Mediators who are therapists by profession may not solicit therapy clients or provide therapy services to mediation clients encountered in the Justice Court Volunteer Mediation Program).

15. Program Procedures:

- A. Mediators must be willing to participate in grievance and feedback procedures established by the Court.
- B. Mediators must comply with all case reporting requirements established by the Court, including case outcome and client evaluation information.

16. Ethics Standards and Guidelines of Practice: Mediators must agree to adhere to all ethical standards and guidelines of practice established by the Court, including, but not limited to those mentioned here.

Without volunteers, we would not have a mediation program in the Justice Courts. We appreciate your interest in volunteering with us and look forward to a mutually satisfying and productive relationship.

Final acceptance and verification of individual mediators rests with the Justice Court Mediation Program Administrator.

Superior Court of Arizona

Alternative Dispute Resolution
Justice Court Mediation Program Administrator
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